

Diagnostic Team Review Process

This is the process which the Department utilizes to improve the level of crossing warning devices found at public grade crossings or to coordinate roadway improvement projects within the limit of public grade crossings. This process is authorized under Section 301(1) of Michigan Public Act 354 of 1993, also known as the Railroad Code of 1993 (MCL 462.301).

A Diagnostic Study Team refers to a group of knowledgeable individuals from the department, road authorities, railroads, and others who meet and, using crossing safety management principles, evaluate conditions at existing grade crossings. These teams assist the department in making consensus determinations concerning crossing safety needs. The actual on-site team inspection is known as a Diagnostic Team Review (DTR).

The department, upon request of any interested party or by its own interest, may assess the physical condition and safety needs of railroad-public highway grade crossings or with non-motorized trail crossings by scheduling a DTR at the grade crossing or group of grade crossings. Written notice is given to all potential participants 15 days prior to the review. Each affected organization is represented by a knowledgeable individual prepared to contribute information and is empowered to make decisions on behalf of that party. A decision by a diagnostic study team concerning the safety needs of a grade crossing is based upon current roadway and railroad traffic levels, speeds and other parameters. Funding arrangements, division of work responsibility, and scheduling will be mutually decided to accommodate recommended adjustments or improvements, relocations, closures, grade separations, or other changes reasonably required in the interest of public welfare and safety.

After a consensus is made by the team members, the department issues a Diagnostic Study Team Review Letter stating the team's consensus agreements to all interested parties. Following a 15-day comment period, the department prepares a Confirming Order. This is an administrative document, signed by the department director or his or her designee, that details certain findings of facts and, based on those findings, specifies certain work to be performed by railroads or other parties in compliance with law and specifies a time period within which the work is to be completed. An order is based upon the department's statutory authority to require the performance of that work.

In a typical year, Diagnostic Study Teams visit between 80 and 100 individual grade crossings.

Formal Inspection Process

Under Section 301(2) of Public Act 354, should a Diagnostic Study Team fail to reach a consensus on needed enhancements at a grade crossing, the Department's railroad safety inspector present at the DTR may take the facts developed through the DTR process and make a regulatory finding. Such finding is based upon the inspector's conclusion that public welfare and safety requires some form of enhancement at the affected crossing. That finding becomes the basis for a Departmental Order to require the performance of the ordered work.

Our experience with the Diagnostic Study Team process has been highly successful in reaching consensus

agreements, and we rarely need to utilize the formal inspection process to secure crossing safety enhancements.